IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO. 3725 OF 2003

SMT. KANTABEN K. GALA ... PETITIONER

Versus

OM SUDARSHAN CO-OP. HOUSING SOCIETY LTD. & ORS. .. RESPONDENTS

Mr. M. R. Phal & Supriya Patkar for petitioner

Ms. S. R. Bhasin for R-1.

CORAM:-SMT. RANJANA DESAI, J.

DATED:-23-2-2005

P.C.

Heard learned counsel for the petitioner and the learned counsel for respondent 1.

2. The learned counsel for the petitioner and the learned counsel for respondent 1 state that no relief is claimed against respondents 2 and 3 and hence by consent of the parties respondents 2 and 3 be deleted. The

learned counsel also state that respondents 4 and 5 are formal parties and they may also be deleted. Hence by consent of the learned counsel, respondents 2,3,4 and 5 are deleted. The learned counsel for the parties state that the petitioner and respondent 1 have settled the dispute and they wish to file consent terms in this court.

3. Consent Terms duly signed by the learned counsel for the petitioner and respondent 1 and duly signed by Mr. Kalyanji Shamji Gala, who holds power of attorney of the petitioner and Shri Umesh Bhansali, Honorary Secretary of respondent 1, who has been authorized by the society by a Resolution to sign the consent terms, are taken on record and marked "X" for identification. Minutes of the managing committee meeting containing Resolution passed by the managing committee authorizing Shri Umesh Bhansali to sign and file the consent terms and copy of the power of attorney given by the petitioner in favour of Kalyanji Shamji Gala are taken on record and marked "Y" & "Z" respectively.
4. Order in terms of the consent terms. Petition is disposed of in terms of the consent terms.
5. Certified copy expedited.

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